



IN THE UNITED STATES BANKRUPTCY  
COURT FOR THE EASTERN DISTRICT  
OF VIRGINIA, RICHMOND DIVISION

GREGORY LEE MCCALL

Claimant,

Chapter 11

vs.

Case No. 08-35653-KRH

CIRCUIT CITY STORES, INC. et al

Debtors

CLAIMANT, Gregory Lee McCall, pro se, hereby moves this Honorable Court to rescind its order dismissing claimants claim against the debtors. In support of his request claimant states:

1.) He is a federal prisoner who has been moved to a number of federal institutions during the filing of the debtors' Chapter 11 Bankruptcy and upon his learning of the action immediately filed a proof of claim.

2.) He did not receive notice of the Kansas Civil action being dismissed.

3.) He did not receive notice that the debtors filed for Chapter 11 protection except by way of the Kansas Court issuing a stay in its proceedings.

4.) Claimant has moved the Johnson County, Kansas

District Court to place the action back on its  
docket.

5.) Claimant would be prejudiced by the acts  
of the debtor's employees' action of trespass and  
theft of his personal property not being heard on  
the merits.

6.) Debtors would not suffer prejudice if  
his action were allowed to continue.

Wherefore Claimant prays the Court will  
reconsider its order dismissing his action against  
the debtors as the interest of justice requires.

Executed & January 31, 2012

Respectfully Submitted  
by ~~Gregory Lee McCall~~  
Gregory Lee McCall

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy was  
mailed first class postage February 1, 2012 to:

Lynn L. Taucinner Esq.  
Paula S. Beran Esq.  
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Andrew W. Caine Esq.  
10100 Santa Monica Blvd. 13th  
Los Angeles, CA 90066  
Respectfully  
Gregory Lee McCall

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Wherefore Claimant prays the Court will rescind its order dismissing his action against the debtors as the interest of justice requires.

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Los Angeles, CA 90066

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COURT FOR THE EASTERN DISTRICT  
OF VIRGINIA, RICHMOND DIVISION

GREGORY LEE MCCALL

Claimant,

Chapter 11

vs.

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6.) Debtors would not suffer prejudice if his action were allowed to continue.

Wherefore Claimant prays the Court will rescind its order dismissing his action against the debtors as the interest of justice requires.

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JOHNSON COUNTY DISTRICT COURT  
CIVIL DIVISION, OLATHE KANSAS

GREGORY LEE MCCALL,  
Plaintiff

vs.

04-2244

CIRCUIT CITY STORES, INC.,  
Defendant(s)

ADMINISTRATIVE JUDGE

Comes Now, Gregory Lee McCall, Plaintiff, pro se  
and hereby seeks to have his civil action against  
the defendant Circuit City Stores, Inc. etc.  
placed back on the civil docket. In support  
of his motion Plaintiff states:

- 1.) He never received notice of the dismissal.
- 2.) He was never given a reason for the Court's  
action.
- 3.) That the Bankruptcy proceedings have not  
been concluded in the U.S. Bankruptcy  
Court in Virginia.
- 4.) That he was not informed that the stay  
had been lifted upon his request to the  
Bankruptcy Court.
- 5.) That Plaintiff would suffer sever prejudice  
if his action is dismissed without a  
determination on the merits



- 6.) That the defendants would not be prejudiced by the action being placed back on the docket.
- 7.) That the interest of justice requires that the civil claims Plaintiff has against the defendants have its day in Court to be heard on the merits.

Wherefore Plaintiff prays the Court will grant his motion and request.

Executed: February 1, 2012

Respectfully Submitted

by

Gregory L. McCall

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by

Gregory Lee McCall